

IC 12-24-2**Chapter 2. Superintendents of State Institutions****IC 12-24-2-1****Administrative control**

Sec. 1. A state institution is under the administrative control of a superintendent appointed under section 2 of this chapter.

As added by P.L.2-1992, SEC.18.

IC 12-24-2-2**Appointment**

Sec. 2. Subject to the approval of the governor, the director of the division shall appoint the superintendent of a state institution.

As added by P.L.2-1992, SEC.18.

IC 12-24-2-3**Qualifications; rules**

Sec. 3. The director of the division may adopt rules under IC 4-22-2 to prescribe the qualifications of a superintendent of a state institution under the control of the division. A superintendent must possess the prescribed qualifications.

As added by P.L.2-1992, SEC.18.

IC 12-24-2-4**Term; removal**

Sec. 4. (a) Except as provided in subsection (b), a superintendent serves a term of four (4) years.

(b) Subject to the approval of the governor, the director may remove a superintendent at any time.

As added by P.L.2-1992, SEC.18.

IC 12-24-2-5**Administrative responsibility**

Sec. 5. The superintendent of a state institution is administratively responsible to the director.

As added by P.L.2-1992, SEC.18.

IC 12-24-2-6**Bond**

Sec. 6. A superintendent shall furnish a bond as required by IC 12-24-3-3.

As added by P.L.2-1992, SEC.18.

IC 12-24-2-7**Powers**

Sec. 7. A superintendent may do the following:

- (1) Administer oaths.
- (2) Take depositions.
- (3) Certify to official acts.

As added by P.L.2-1992, SEC.18.

IC 12-24-2-8**Regulation of smoking; prescribing nicotine**

Sec. 8. (a) Notwithstanding IC 12-27-3-3, the superintendent of a state institution has complete authority to regulate smoking (as defined in IC 16-41-37-3) within the state institution.

(b) A physician licensed under IC 25-22.5 may prescribe nicotine as is medically necessary for a resident of a state institution.

As added by P.L.110-1997, SEC.2.

IC 12-24-2-9**Admissions; Evansville state psychiatric treatment center for children**

Sec. 9. (a) Notwithstanding any other law, an individual shall be admitted to the Evansville State Psychiatric Treatment Center for Children if the decision to admit the individual is approved by:

- (1) the individual's gatekeeper; and
- (2) the Evansville State Psychiatric Treatment Center for Children's admission committee, which must consist of at least the following individuals:
 - (A) The superintendent.
 - (B) The medical director.
 - (C) The clinical director.
 - (D) The director of nursing.

(b) The division of mental health and addiction shall encourage and facilitate the placement of appropriate patients at the Evansville State Psychiatric Treatment Center for Children. A state operated facility must be considered before referring a patient to an out-of-state treatment center. The appropriateness of admission to the Evansville State Psychiatric Treatment Center for Children is determined when both the individual's gatekeeper and the Evansville State Psychiatric Treatment Center for Children's admission committee agree that the individual meets admission criteria and that admission to the Evansville State Psychiatric Treatment Center for Children is the least restrictive treatment option available to meet the individual's psychiatric needs. An administrator of the division of mental health and addiction may not make a determination of the appropriateness of admission to the Evansville State Psychiatric Treatment Center for Children unless the individual's gatekeeper and the admissions committee fail to reach agreement on the appropriateness of the referral. If the gatekeeper and the admissions committee fail to reach an agreement on the appropriateness of the referral, the decision of the division of mental health and addiction is final.

As added by P.L.192-2002(ss), SEC.155.